

Resolution No. ZSR-21-15 of the Suffolk County Planning Commission
Pursuant to Sections A14-14 to thru A14-25 of the Suffolk County Administrative Code

- WHEREAS, pursuant to Sections A14-14 thru A14-25 of the Suffolk County Administrative Code, a referral was received on April 21, 2021 at the offices of the Suffolk County Planning Commission with respect to the application of “**MS Packaging & Supply Corp.**” located in the Town of Brookhaven
- WHEREAS, said referral was considered by the Suffolk County Planning Commission at its meeting on **June 2, 2021**, now therefore, Be it
- RESOLVED, that the Suffolk County Planning Commission hereby approves the staff report, as may be amended, as the report of the Commission, Be it further
- RESOLVED, pursuant to Section A14-16 of the Suffolk County Administrative Code and Section 239-m 6 of the General Municipal Law, the referring municipality within thirty (30) days after final action, shall file a report with the Suffolk County Planning Commission, and if said action is contrary to this recommendation, set forth the reasons for such contrary action, Be it further
- RESOLVED, that the Suffolk County Planning Commission **Approves**, the site plan and variance application of MS Packaging & Supply Corp with the following condition and comments:

Condition:

1. No final approval shall be given to the site plan and variance application of MS Packaging & Supply Corp until the Long Island Rail Road “Yaphank Station Relocation Study” is completed.

Reason:

It has been reported that the Long Island Rail Road (LIRR) has undertaken a “Yaphank Station Relocation Study (<https://www.amodernli.com/project/new-yaphank-station/>) to better meet current and future transportation demands associated with existing and future commercial and residential economic development projects in Central and Eastern Suffolk County.” The subject property is in the vicinity of a potential relocation site. The impact and opportunities presented by potential station relocation on the subject property shall be known and considered whether the subject property is critical to the relocation of the station. Any other recommendations for the subject property shall be considered and implemented where practicable.

Comments:

1. The applicant should contact/continue dialogue with the Suffolk County Department of Public Works with respect to connection to the Suffolk County Wastewater Sewer District #2 (Brookhaven R&D Park).
2. The applicant should contact/continue dialogue with the Central Pine Barrens Joint Planning and Policy Commission with respect to natural vegetation clearing restriction compliance and artificial site lighting as related to the Compatible Growth Area of the Central Pine Barrens Zone.
3. The applicant should be encouraged to review the Commissions publication on Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.

4. The applicant should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, elements contained therein applicable to industrial development. Industrial buildings should be designed to accommodate rooftop solar and or green roof technologies to assist in energy efficiency and the reduction of greenhouse gases, particularly CO2. In addition the Town of Brookhaven and the applicant when reviewing parking shortfalls may wish to consider the installation of an Electric Vehicle charging station as a mitigation to the variance request as another method to reduce CO2 emissions.
5. The applicant should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein.
6. The applicant should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where practical, design elements contained therein.
7. In order to mitigate any potential adverse impact to the New York State 495 right-of-way to the north from site lighting impacts, all lighting on site should be contained on site and not bleed off onto adjacent properties and site lighting should conform to “dark-sky” initiatives and code ordinances.
8. The Town of Brookhaven Planning Board and the applicant when reviewing parking shortfalls may wish to consider the installation of an Electric Vehicle charging station as a mitigation to the variance request or other methods to reduce Greenhouse gas emissions, parking stall demand, and motor vehicle trip generation on site or in the industrial park. Techniques may include, but are not limited to parking management programs, employee commute options (rideshare incentives, preferred HOV parking), discounted transit passes (if applicable), provision of bicycle parking facilities, etc. The applicant should investigate “Parking Stall Demand Reduction” or “PSDR” techniques for the creation of additional buffers and natural storm water treatment. The Suffolk County Planning Commission has produced a draft “model code” and report on such PSDR techniques and has recommended that no building or structure should be constructed, used or occupied without the adoption of Parking Stall Demand Reduction (PSDR) techniques conditioned, through covenants and restrictions, on land use and development approvals issued by municipal planning boards. For convenience a link to the model code is provided below:

<https://www.suffolkcountyny.gov/portals/0/formsdocs/planning/SCPlanningCommission/2019/PSDR%20Final%20Draft%20103019.pdf>

Area created may provide additional land for stormwater treatment via natural methodologies (see comments above).

9. Premises should be encumbered by appropriate operational restrictions to adequately protect nearby properties (i.e. shielded lighting, hours of operation, truck deliveries, garbage pick-up, truck idling, outdoor speaker systems, building alarms, trash compaction, etc.).
10. The discontinued Suffolk County Transit bus routes along William Floyd Parkway with designated stops within and/or in front of the Brookhaven Technology Center should be considered into the future as more large development project in the vicinity are completed. The Town and applicants should be advised to reach out to Suffolk County Transit and discuss bringing back accommodations for transit riders to the LIE-William Floyd Parkway crossroads area.

**MS Packaging & Supply Corp.
Town of Brookhaven**

Motion to approve with comments

	AYE	NAY	RECUSED	ABSENT
ANDERSON, RODNEY – At Large				X
CASEY, JENNIFER - Town of Huntington	X			
CHARTRAND, MATTHEW - Town of Islip	X			
CHU, SAMUEL – Town of Babylon	X			
CONDZELLA, JOHN – Town of Riverhead				X
DOTY, DAVID – Town of East Hampton	X			
ESPOSITO, ADRIENNE - Villages over 5,000	X			
FINN, JOHN - Town of Smithtown	X			
FLYNN, DANIEL – Town of Southampton	X			
GERSHOWITZ, KEVIN G.- At Large	X			
KAUFMAN, MICHAEL - Villages under 5,000	X			
KELLY, MICHAEL – Town of Brookhaven	X			
KITT, ERROL – At Large	X			
McCarthy, Thomas, - Town of Southold				X
Galle, Elizabeth, - Town of Shelter Island	X			

Motion: Commissioner Kelly

Present: 12

Seconded: Commissioner Kaufman

Absent: 3

Voted: 12

Recused: 0

Nay: 0

DECISION: Approved